


Quid Novi



VOL. II NO. 4

SEPTEMBER 30, 1981

exam schedule

Protesters Walk Out

BY LYNN BAILEY

Students at the LUS General Assembly last Thursday voted to retain the present exam schedule, causing several fourth year "protestors" to walk out shortly afterwards.

Many of those attending the meeting had the opportunity to express their reasons for the almost unanimous decision to use the present schedule. Some felt that a change at this point would be unfair to students who have already made changes as the Associate Dean will not allow them to go back on their changes. Others felt that two or three weeks into the term was too late to make a change, as students have begun to make studying or even vacation plans around the present schedule. Finally it was pointed out that a new schedule was still bound to result in conflicts for a certain number of students. In response to this, Dave Migicovsky, a fourth year student, suggested that a new schedule could be developed by the class presidents, after which a general vote would be held to choose between the two. After seeing the result of the vote, Migicovsky and several of his classmates make a noisy exit, disrupting the meeting and reducing attendance to less than a quorum. When asked his reaction to this after the meeting, Campbell Stuart replied that it was probably a protest, explaining that "they feel they're getting screwed."

With attention then focused on how to reform scheduling in the future, David Sinyard made a motion "that the LUS executive be reprimanded for unilateral action in drawing up the exam schedule and

that this method be avoided in the future." Although the quorum was lost, a vote was taken showing only a small minority in favour of the motion. This reflected the opinion expressed by many that the exam schedule issue is not serious enough to warrant such extensive discussion. Kevin Nearing supported Stuart's action in going ahead alone last summer. There was applause following this statement.

Campbell Stuart then directed attention to specific scheduling reforms.

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LUS Council Meets

BY PETER DAUPHINEE

LUS Council met for two and one half hours last Thursday evening but failed to take any new action on issues of concern to students.

LUS Council is a body composed of the LUS Executive, the seven elected Class Presidents, representatives from recognized groups in the Faculty, LUS appointed students, and Law representatives on governing bodies outside the Faculty. Council serves to advise the Executive on issues of policy but is also important as a forum where information and arguments on all aspects of university, faculty and student government are bandied about.

Last Thursday's meeting was dominated by discussion of the exam schedule. The issue was placed on the agenda by Julian Heller who moved that the schedule be invalidated, to be redrawn by the Class

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Presidents. Ultimately the motion was defeated, with only Heller voting in favour, but not before a great deal was said. Although there was a general feeling that the current schedule not be thrown out, there was some confusion as to how and when future exam schedules should be created. The gist of the discussion was that some procedure should be determined and adhered to in the future but there was no agreement on which of innumerable possible schemes could answer the needs of the Faculty.

The frustration of the Councillors was evident as the debate bogged down frequently on procedural questions. Stephan LeGouëff argued that Heller's motion should be voted on, so that he could propose a motion that would focus the discussion on a positive solution. However, by the time he succeeded, Council was disinclined to continue on the subject and LeGouëff withdrew his motion. A motion by Bob L'Espérance to form a committee to study the question shared the same fate. Discussion on the question was postponed to the next meeting, to take place October 14.

Helena Lamed than brought up the question of course evaluations. A student/faculty committee last year created a new course evaluation which the Faculty agreed, after much debate, to make available to students. The problem, according to Lamed, is that only the statistical part of the evaluation is published, not the part of the evaluation which allows students to vent their feelings in writing. One cannot, by looking at the figures, get a very good idea of how students felt about any given course. Lamed proposed a simpler questionnaire comprising only questions requiring written, qualitative evaluations.

Although Lamed's argument was met with sympathy, her motion to bring a new course evaluation to Faculty Council was defeated. Among the arguments against were: that Faculty would never accept such an evaluation; that a great deal of work would be required to compile the data; that many students would be very reluctant to fill in the questionnaires in their own handwriting; that qualitative surveys give no overall picture of class feeling, but that statistical surveys, properly struc-

tured and applied, can; and that students should not be so quick to reject a system that was created with student approval and participation, before it is given a greater chance to succeed.

Antoinette Bozac, who served on the committee that produced the evaluation, indicated that the results of the evaluation had not, in fact, been used as planned: the idea had been that students would take the statistical results of the evaluations and translate them into more comprehensible form. However, this was not done as no students were found to undertake the task.

Although the motion was defeated, the issue will arise at Faculty Council, because neither students nor faculty are satisfied with the present system.

The Council also considered reports from Ted Claxton on Student Society, Guy Knowles on Senate, Campbell Stuart on Faculty Council and Christina Tanner and Roger Cutler on the Sports Committee. The meeting closed at 8:30 with a number of items left on the agenda which will be carried over to the next meeting.

LUS Council meetings are held in Room 202 and are open, all students being welcome to attend these exciting discussions.

Literary

Quid Novi is considering the addition of a literary section. We wish to publish contributions from you closet poets who hide behind your legal pens. We are looking for verse or short stories with a legal flavour. Whether humorous or serious, French or English, please bring your compositions to our office.

SPORTS UPDATE: LAW TOURNAMENT

This year the annual law sports tournament will be hosted by Queen's University from February 4 to 6, 1982. Traditionally, McGill has sent men's and women's ice hockey and basketball teams and squash players. This year, there may be volleyball depending on the number of schools able to send teams.

For more details, including the selection process, there will be a meeting October 5 at 1:00 in the Moot Court room. At that time, a committee will be set up to plan the trip and to raise funds.

Association des Juristes Holds Colloque

BY STUART RUSSELL

On the weekend of October 24-25 the recently-revived Association des juristes québécois (AJQ) will hold its first public gathering -- a day-long colloque followed by a general assembly of the Association.

Last fall a group of Quebec jurists relaunched the AJQ which was originally formed in 1975 but dissolved itself in 1976 following internal conflicts. The Association originally described itself as a group of progressive jurists attempting to find solutions to problems encountered in the legal profession, to reflect on their role and that of the law in relation to the disadvantaged in our society. The current version is somewhat akin to the Law Union of Ontario or British Columbia.

Anyone involved in the legal profession is eligible for membership in the AJQ: lawyers, notaries, law students and legal workers including para-legals and legal secretaries. Its working language is French.

The tentative schedule for the colloque - general assembly is as follows:

Saturday, Oct. 24:

9:30 a.m. (a) Presentation on the history of the AJQ,

(b) Presentation by outside speakers,

(c) Discussion on progressive legal practice in Quebec.

1:30 p.m. (a) Panel of lawyers who work in community and political groups as well as in unions,
(b) Response by members of such groups.

Sunday, Oct. 25:

9:30 a.m. General Assembly to elaborate a platform or orientation for the Association.

Both events will take place at the Downtown YMCA, 1450 Stanley (Peel Metro).

The registration fee is \$5.00 a day, but the fee for the General Assembly will be applied to the membership fee, which was established last June at \$5.00 a year for students. Documents and recommendations will be mailed to those who pre-register.

For more information contact:

(temporary address)

Association des juristes québécois

CP 383, Station Victoria

Montréal, Québec

H3Z 2V8

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There was no longer a quorum present at the meeting, and many motions were made but not voted upon. The complexity of the exam schedule issue made the discussion disjointed and no further conclusions were reached. Among the issues raised was an inquiry as to why the use of a computer had been refused. Campbell Stuart informed students that the Dean had made this decision, as he felt the process was too costly. The possibility of a computer program being worth the expense led into the discussion of whether a permanent exam schedule could be created. A few students objected to this proposal because of the practical difficulties involved. In addition, two upper year students insisted that it was not good policy to have students choosing their courses around a schedule. The idea they stated, was to minimize conflicts as much as possible after courses have been

chosen. Students opposed to the "early" drawing up of the schedule advanced similar policy.

With time running short, the question of who will make the final decision regarding exam scheduling reform was considered. V.P. Joanie Vance suggested that this type of discussion should be reserved for a committee appointed to deal with the subject. A voice in the crowd, however, objected to this, demanding a chance to express his views in "public." Someone suggested that the participation of Class Presidents in the decision would help to represent student opinion. Campbell Stuart argued that the decision could be made by the LUS Council and that concerned students would be welcome at the meetings, which are open.

As Thursday's meeting indicated, it is doubtful that any detailed proposals can be considered in the atmosphere of a General Assembly.

Where is McGill

Despite the fact that I have only been around the school for two weeks, I am presumptuous enough to offer these reflections. I do so partly in the belief that the disproportion between a first year student's hopes or expectations and the reality of the place is itself an advantage in considering what this school should be. A certain idealism still exists and a certain detachment still exists. But I recognize as well that what I have to say may be inadequate in the light of a greater familiarity with the school.

McGill Law School is in a precarious position. Apart from the funding problems which are affecting all Canadian educational institutions, this school must pass more stringent political test; *viz.* does it contribute to the Quebec legal community? As a school with an English-language orientation, McGill must prove to the powers that be its ability to educate French-speaking lawyers who will practise here. Now I happen to be a student from Ontario enrolled in the LL.B. section of the program. The ability of the National Program to attract students such as myself from other parts of the country presumably shifts the political centre of gravity for this school away from Quebec City

somewhere toward Ottawa. That is to say, the political test: "Does McGill contribute to the Quebec legal community?" can to some extent be replaced by the test: "Does McGill contribute to the Canadian legal community?" But this camouflage is only as effective as the National Program. Let me turn briefly to a consideration of how students make use of the National Program in practice.

I have no statistical documentation for some of the suggestions I wish to make, but I make them because I am led to believe that enough cases exist to be disturbing even if absolute numbers are not great. First, what of students enrolled in the B.C.L. section of the program? How many students from Quebec see the National Program as their ticket to leave Quebec should circumstances require it? How many are looking to New York State and Ontario when they have safely pocketed their LL.B.? And how many B.C.L. students from inside and outside Quebec see McGill as an indirect way to get an LL.B. without acceptable LSAT results? Second, what of students enrolled in the LL.B. section of the program? How many will neglect the B.C.L. despite indicating originally that they will do the National Program? And how many will not learn French? I ask these questions because if the practise of the National Program is to turn out LL.B. lawyers leaving Quebec, the political centre of gravity will shift back to Quebec City. If signs in Quebec cannot appear in English, surely law schools in Quebec cannot put up signs advertising that they are training for *l'Anglophonie*. And if there can be bad corporate citizens, there can also be bad citizens of the bar.

What, then, am I calling for? Quite simply, I am calling for student affirmation of the national character of the National Program. It should not be an indirect LL.B. degree and it must not appear to be an indirect LL.B. degree. This does not necessarily imply faculty tightening of language and degree requirements, although the loosening of B.C.L.

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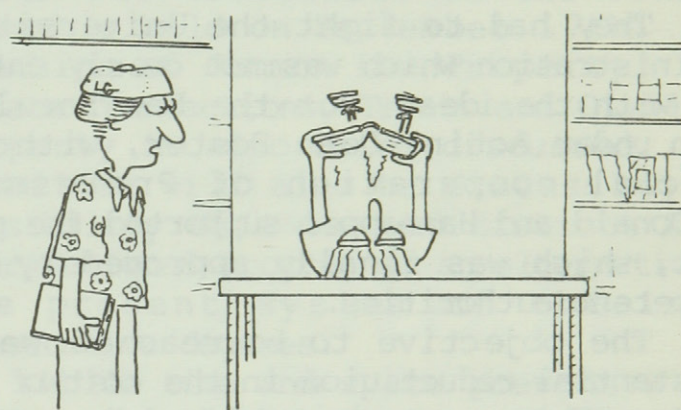
Law School Going ?

requirements for the LL.B. and the National Program looks suspect in this light. The Quebec government can reasonably ask itself what kinds of students McGill Law School intends to attract -- 2 to 1 ratio of B.C.L. to LL.B. students on the surface or not. But regulations and restrictions can only go so far to make the National Program meaningful. If it is to be true that the "National Program creates an important link between Quebec and the rest of the country" and that McGill is "training truly 'national' lawyers, for which there is a great need in this country," to quote the announcement, it remains for the students to make those words come alive.

Although I have cast doubt upon students' reasons for being here, I am convinced that there is among us a remarkable population of students who are here to look at legal questions in their national and international dimension as well as in their necessary immediate detail. Indeed, the precarious position of McGill also means that here it is difficult to punch out students simply to fit the Bay St. legal mold. Furthermore, McGill's academic tradition, especially in its national and international aspects, continues. There is a broad spectrum of political orientation and there are the elements of a vigorous and important forum on the place of Quebec in Canada, on the nature of Canadian federalism, and on Canada's role in the world. There is no reason why McGill could not acquire a reputation for being a hotbed of political discussion and a necessary item on every major Canadian politician's list of speaking engagements. Yet when one hears of a conference on social reform organised recently at McGill which could only attract six McGill students out of hundreds of Quebec law students, one begins to think we need a kick in the pants. For it may well be that active political discussion is precisely what is required to shore up McGill's own political position. A school which could in fact bring together students of the two great legal traditions to create a link in political discussion between Quebec and

the rest of Canada would have a truly national program. As such, having a strong fundamental concern with Quebec, it could not be attacked as a bad citizen of the bar, despite the dangers it would pose to the present Quebec government. And it almost goes without saying that during our stay at the school, all of us shall be living through crucial political developments in Quebec and Canada demanding the urgent attention of lawyers. We can begin on these pages. Quid Novi can mean quid novi around the school, but it can also mean quid novi in a much broader sense.

Richard Janda LL.B. I



SPORTS UPDATE: INTRAMURALS

BY VONNIE ENG AND ROGER CUTLER

Despite the quick start of the fall sports season, two men's touch football teams, a women's flag football team, and a men's soccer team have been organized. Any woman interested in playing flag football may still do so by contacting Roger Cutler or Vonnice Eng.

Winter sports' entries open October 1 and close October 8. The sports being offered are men's and women's ice hockey, basketball and volleyball as well as individual squash, raquetball and jogging. Sign-up sheets for the team sports are in the basement on the sports board. Register at the gym for the individual sports.

What's What

BY MARTINE TURCOTTE

L U S B O O K S T O R E

One of the basic necessities of life for students besides food and housing is undoubtedly books; whether or not you want them is a completely different question! And, of course, there is always that dreadful feeling at the beginning of every term as you see part (all?) of your hard earned income from summer work disappear so quickly. Though little could be done to escape the "moral obligation" of getting those books, there had to be a way of buying them at a more reasonable price. That goal is what Mitch Wigdor, Campbell Stuart, Ted Over, Vince Guida, Brian Elkin and Dave Collier worked towards during the summer of 1980.

They had to fight the University's administration which was not overly enthused with the idea. But the Law Faculty, then under Acting Dean Foster, with the special cooperation of Professors MacDonald and Haanappel supported the project, which was finally approved by the competent authorities.

The objective to be reached was a substantial reduction in the cost of law books. This was to be achieved by getting an independent printer to produce the casebooks and by having students sell the books so that no labour expense would be incurred.

For those who might still be skeptic about the success of the "enterprise" as to the lowering of costs, the LUS Bookstore has provided some figures concerning prices over a period of three years. For example, the Air and Space Law casebook when sold at the McGill Bookstore was priced at \$11.15. Last year, the same casebook was sold for \$7.25 at the LUS bookstore though old stock had to be used. This year, it could be purchased for only \$5.75. Megarry and Wade's famous textbook on the Law of Real Property was sold for \$55.70 while the retail price is \$72.00. The LUS Bookstore has also found out that some law firms in Montreal have sent students working for them to buy books

because of the low prices.

Even though the system has proven to be cost efficient, some students have been very critical of the line-ups, the fact that some books come in late, that there is not always enough casebooks or that the Bookstore is not open from 9 to 5.

As to the first of the complaints, line-ups are not a problem exclusive to the LUS Bookstore and are always present during the first days of classes even at the McGill Bookstore. As far as there being too few casebooks, students must understand that those casebooks cannot be returned to the printer and as a result, the order must be made as close as possible (5 to 10% more) to the early enrolment figures; otherwise they will have to be written-off and prices will be increased to cover the loss. Textbooks can be returned to the publishers within 30 to 90 days from the date of purchase if they are in perfect condition. Students are notified that textbooks will be cut-off earlier than last year in order to avoid any delay in their return.

Both the McGill Bookstore and the LUS branch have experienced the problem of books coming in two or three weeks late. This is often due to technical difficulties such as printing problems or deadlines for orders not being respected.

Another complaint which has been brought to the bookstore's attention concerns its opening hours. What students should be aware of is that it is a student-run enterprise and that those students have classes like everyone else in the school. Moreover, selling the books represents only one-quarter of the work involved. When the store closes, there is still cash to be counted, inventory to be taken, paperwork to be done, invoices to be taken care of, etc.

Therefore, the Bookstore's only real disadvantage that is not encountered at the University bookstore is the operating

CURRICULUM COMMITTEE

KEVIN NEARING

hours. But it does not have to be so.

The present directors, Martha Shea, Ted Bridge and Robert Donald are looking for five students who would like to become directors. Applicants are asked to leave their name and telephone number either at the bookstore or at the LUS office or to contact any director. The deadline for applications is October 9.

The work consists of collecting orders from professors, coordinating them, ordering the required books from printers and publishers, establishing prices, and processing the bills and invoices.

Remember that for the LUS Bookstore to go on selling books, volunteers will be needed. After all, the bookstore is ours so its up to us to keep it that way.

BOOKSTORE ANNOUNCEMENT

Would the following people please contact the bookstore during office hours no later than October 9th. We have money and other goodies for you, so bring your I.D. cards.

Richard Rusk, Mary McIntyre, Andrea Neil, Claude Dubois, Paul Duggan, Paul Martial, Rhona Waxman, M. Archambault.

This is your last chance. If you do not show up the books go in the garbage and the cheques get ripped up.

RECRUITING FOR THE 1981-1982

BOOKSTORE COMMITTEE

All students who are interested in becoming directors of the McGill Satellite Bookstore are invited to submit their applications by October 9th.

We need five students to begin working in the second term with the present committee. It is of the utmost importance that students of first and second year become involved, as they will reap the greatest benefit from the continuation of this cooperative venture. Please place your application in the bookstore mail slot at the front desk of Chancellor Day Hall or in the envelope attached to the door of the store.

The purpose of this article is to familiarize the student body, especially the first year class, with this year's Curriculum Committee. The Committee chairman is Associate Dean Rod MacDonald. The other members are Professors H.P. Glenn, Cantin-Cumyn, Foster, Jobin, and Simmonds, Mr. Renshawe, and students Tom Johnston, Kevin Nearing, and Robert Wintemute.

The Committee undertakes an ongoing review of the various degree programs, including degree requirements, courses offered and their credit weight. From its deliberations, the Committee produces recommendations that are presented to Faculty Council.

At this stage of the year, the committee is organizing itself into smaller groups to examine special areas of interest. Work is being done on Mr. Renshawe's "minimum writing requirement" which was discussed at the General Assembly held on September 17th. The teaching of Common Law Property, Real Estate Transactions, Trusts and Civil Law Property is also being discussed. The Committee will also be discussing the possibility of a new and distinct four-year National Program as an alternative to the present system of obtaining consecutive degrees.

While time and space prevent a full explanation of these issues, the Committee will keep students informed of what it will be doing throughout the school year. Students are urged to present their questions or voice their opinions to their representatives on the Committee. First year students are especially invited to seek out their representatives. Past experience shows that the longer it takes to get informed, the less time there is to bring about meaningful change in your legal education.

MCGILL BLOOD DRIVE 1981

We remind and encourage all students to contribute a pint of blood to the success of this blood drive. The objective is 3000 pints. Please bring lyour friends.

Location: Union Ballroom (3rd floor)

Hours: Wednesday 10:00 to 19:30

Thursday 10:00 to 10:30

Friday 10:00 to 17:00

McGill International Law Society

presents

LORD WILBERFORCE

- member of the House of Lords
- renowned international jurist

on

THE CONTEMPORARY DEVELOPMENTS OF LAW
IN A GLOBAL CONTEXT

Wednesday, September 30

11:00 - 12:00

MOOT COURT

SCRAMBLOCKS

HOW TO PLAY:

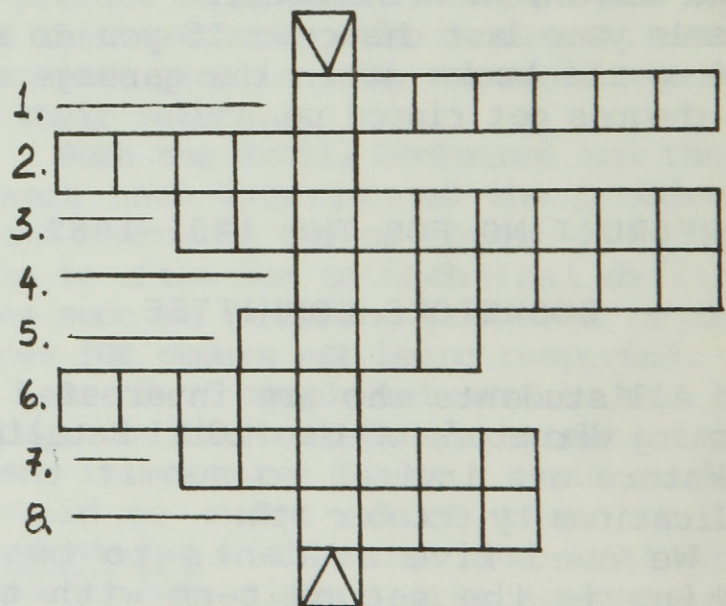
- 1) Complete the grid using the clues provided. (Words read HORIZONTALLY ONLY)
- 2) When the grid is complete, UNSCRAMBLE the letters in the marked VERTICAL row to obtain the solution.
- 3) All entries are connected in some way with law or this law school.

CLUES

1. Insanity, for example.
2. Appointed by the Governor-General.
3. Roncarelli v. _____.
4. Elle est parfois accueillie.
5. Martin or Brierly.
6. Forum.
7. per _____.
8. Burden.

SOLUTION:

Something you wish fewer cases were!



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